

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE:**

**WAREHOUSE 86, LLC,  
  
DEBTOR.**

**Chap. 11 Bankruptcy Case No. 08-03423-EE**

**ALL DOCUMENTS REGARDING THIS MATTER MUST BE  
IDENTIFIED BY BOTH ADVERSARY & BANKRUPTCY NOS**

**SCK, INC. AND RADIOSHACK CORPORATION**

**PLAINTIFFS**

**VS.**

**ADVERSARY PROCEEDING NO. 09-00139-EE**

**WAREHOUSE 86, LLC**

**DEFENDANT**

**SUMMONS IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to submit a motion or answer to the *Complaint for Declaratory Judgment* (Adv. Dkt. #1), which is attached to this summons to the Clerk of the Bankruptcy Court, 100 East Capitol Street, P. O. Box 2448, Jackson, MS 39225-2448, within **30 days** after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days. At the same time, you must also serve a copy of the motion or answer upon the Plaintiff's attorney: **MARCUS M. WILSON, ESQ., 188 E. CAPITOL ST., SUITE 1400, JACKSON, MS 39201**. If you make a motion, your time to answer is governed by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

DATE: November 12, 2009



**DANNY L. MILLER, CLERK**

By: /s/ Kimber McDowell  
Adversary Case Administrator

**CERTIFICATE OF SERVICE**

I certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this summons and a copy of the complaint was made \_\_\_\_\_ (date) by (check method of service below and complete name and address information):

<b>_____ Mail service</b> Regular, first class United States mail, postage fully paid, addressed to:	<b>_____ Personal service</b> By leaving the process with defendant or with an officer or agent of defendant at:	<b>_____ Residence</b> <b>Service</b> By leaving the process with the following adult at:	<b>_____ Publication</b> The defendant was served as follows:	<b>_____ State Law</b> The defendant was served pursuant to the laws of the State of _____, as follows (describe briefly in address block):
<b>NAME:</b>		<b>ADDRESS:</b>		

Under penalty of perjury, I declare that the foregoing is true and correct.

Signature:	Date:
Print Name:	
Business Address:	
City:	State:
Zip:	

**DANNY L. MILLER**  
CLERK

(601) 965-5301

## **United States Bankruptcy Court**

**SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON, MISSISSIPPI 39225-2448**

**MAILING ADDRESS:  
P. O. BOX 2448**

**STREET ADDRESS:  
ROOM 101  
100 EAST CAPITOL STREET**

### **INSTRUCTIONS FOR ISSUANCE OF SUMMONS**

Enclosed is the Summons for you to serve on the parties. You are to mail the Summons and a copy of the Complaint, using certified mail, to interested parties as prescribed in Federal Rules of Bankruptcy Procedure ("F.R.Bk.P.") Rules 7004(b)(9) and 7004(g). It is not necessary to request a return receipt on the certified mail. If a Trustee has been appointed, you should mail a copy of the Summons and Complaint to the Trustee. The Trustee's copy can be mailed using regular first class mail rather than certified mail. After you have mailed the Summons, complete the certificate of service on the Summons, attach a copy of the form you completed for the certified mail, and file with the Clerk.

In order to allow you the ten (10) days to issue the Summons as prescribed in Rule 7004(e) of the F.R.Bk.P., the date of issuance on the Summons will be advanced ten (10) days. For example, if the Summons is prepared and put into the mail on the 1<sup>st</sup>, the Summons will be dated the 11<sup>th</sup> thereby allowing you 10 days to receive the Summons in your office and accomplish the mailing to the necessary parties. This method of issuing the Summons will allow the parties thirty (30) days from the issuance of the Summons, as set out in Rule 7012(a), F.R.Bk.P., in which to file an answer to the complaint.

DANNY L. MILLER  
CLERK OF COURT

Date: November 4, 2009